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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/595,582	06/15/2000	Richard L. Kaylor	10992361-1	9981

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EXAMINER

PHAN, RAYMOND NGAN

ART UNIT	PAPER NUMBER
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2181

DATE MAILED: 03/19/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/595,582

Applicant(s)

KAYLOR, RICHARD L.

Examiner

Raymond Phan

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_.
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_.
- 6) ☐ Other: \_\_\_\_.

### **Part III DETAILED ACTION**

#### ***Notice to Applicant(s)***

1. This application has been examined. Claims 1-20 are pending.
2. The Group and/or Art Unit location of your application in the PTO has changed. To aid in correlating any papers for this application, all further correspondence regarding this application should be directed to Group Art Unit 2181.

#### ***Specification***

3. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### ***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-20 are rejected under 35 U.S.C. § 102(b) as being anticipated by Srinivasan (US NO. 5,237,663).

In regard to claims 1, 11, Srinivasan discloses a method comprising the step of maintaining peripheral device control information in a portable communication device (see col. 2, lines 36-40); and selectively transmitting the peripheral device control information to at least one peripheral device (see col. 2, line 36-54).

In regard to claims 2, 12, Srinivasan discloses further comprising the step of causing the peripheral device to operatively respond to the peripheral device control information (see col. 3, lines 23-32).

In regard to claims 3, 13, Srinivasan discloses wherein the peripheral device control information includes configuration information (see col. 2, lines 36-54).

In regard to claims 4, 14, the teaching of configuration includes a unique network device address is explicitly known to the teaching of Srinivasan.

In regard to claims 5, 15, wherein the portable communication is PDA (i.e. handheld computing device (see col. 2, lines 2-6).

In regard to claims 6, 16, Srinivasan discloses wherein transferring the peripheral device control information to the peripheral device further includes at least a portion of the peripheral device control information over a communication link configured to carry at least one signal selected from radio frequency or infrared (see col. 2, lines 23-27).

In regard to claims 7, 17, Srinivasan discloses wherein the communication link is further configured to provide bi-directional communication between the portable device and the peripheral device (see col. 1, lines 38-45).

In regard to claims 8, 18, Srinivasan discloses wherein maintaining the peripheral device control information in the portable device further includes receiving the peripheral device control information through the user interface portion of the portable device (see col. 2, lines 8-21).

In regard to claims 9, 19, Srinivasan discloses wherein the user interface portion of the portable communication device 5 includes a display and a keypad (see col. 2, lines 3-6).

In regard to claims 10, 20, Srinivasan discloses wherein maintaining the peripheral device control information in the portable device further includes receiving the peripheral device control information from a computer operatively coupled to the portable device (see col. 3, lines 1-18).

### *Conclusion*

6. All claims are rejected.
7. The prior arts made of record and not relied upon are considered pertinent to applicant's disclosure.

**McGrane et al. (US No. 6,496,927)** disclose a method and configuring a user interface for controlling a controlled device based upon a device class.

**Doviak et al. (US No. 6,418,324)** disclose an apparatus and method for transparent wireless communication between a remote device and host system.

**Kaufman (US No. 6,034,621)** discloses a wireless remote synchronization of data between PC and PDA.

**Darbee (US No. 5,778,256)** discloses a PDA having a separate infrared generating device connected to its printer port for controlling home appliances.

**Young et al. (US No. 6,434,644)** disclose a communication system and method for interfacing different communication standards.

**Robinson (US No. 6,351,638)** discloses a method and apparatus for accessing a plurality of communication networks.

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Subramanian et al. (US Patent Pub No. 2001/0034227) disclose a method of generating a configuration for a configurable spread spectrum communication device.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (703) 306-2756. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's Primary, Paul Myers can be reached on (703) 305-9656 or via e-mail addressed to paul.myers@uspto.gov. The fax phone number for this Group is (703) 746-7239.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-3900.

RR

*Raymond Phan*  
3/16/03



PAUL R. MYERS  
PRIMARY EXAMINER